convicts, for the abolition of the strap, or "bat," in all but the most vicious cases, and for the payment of the convicts at the rate of ten cents per day during good behavior, with a loss of twenty-five cents per day for every day of bad conduct. Convicts are declared to be competent to give testimony in cases involving breaches of discipline on the part of guards and other officials. In times past it has been almost impossible to convict a guard of beating or otherwise misusing convicts, for usually no witnesses were present other than the prisoners, who were not allowed to testify.

But the most important provision of this law is that which provides for the abolition of the so-called lease or contract system, by which the state hired out the men to be worked on plantations and railroads. The law provides that all outstanding contracts shall terminate on January 1, 1914, and directs the prison commission to purchase lands on state account and erect sufficient buildings to accommodate all the men as they are withdrawn from the contract forces. The state already owns nearly thirty thousand acres of rich valley land and utilizes the labor of about twenty-five hundred men on these plantations and within the walls at Rusk and Huntsville. Not a very large additional amount of land will be necessary to take care of the thousand men now working in the contract forces.

The regular session which adjourned in March passed what promises to be an efficient parole law, providing for the parole of first-term prisoners who have served the minimum term fixed by law for the offense. This measure replaces a law passed in 1905, which was never enforced. The new prison commissioners have adopted rules for the government of the board and a parole officer will be employed to look after the men while out on parole.

These laws are an expression of a growing demand for intelligent and efficient management of the state's penal machinery. Other reforms may be looked for along the line of improving the court procedure and the administration of justice.[1]

The Cry for Law Reform.—In an article in the *Yale Law Journal* for February, Robert C. Smith discusses the popular demand for law reform. Notwithstanding Goldwin Smith's saying that you might as well expect the tigers to clear the jungles of their hiding places, as to expect law reform from the lawyers, procedural reform, he says, must necessarily come from the lawyers.

"We are all agreed," he says, "that it is most desirable that a cause should be decided as soon as possible after it is instituted. Tardy justice is, in many cases, no justice at all. But before suggesting reforms, let us determine definitely the reason why there are such arrears in many courts. The ordinary delays in pleading and procedure are not a serious matter, but the business of the courts is frequently far in arrears. My belief is that one reason, if not the main reason, is of the simplest possible kind. The public expect the judges to do more than they reasonably can do. It is quite reasonable to lay down any rule as to the number of cases which ought to be heard and decided within any given time, nor can anyone but the judge himself determine how long he should deliberate upon any given case. If a judge be worthy to administer justice at all, may he not be trusted to devote his own time conscientiously

[1]Furnished by Prof. C. S. Potts of the University of Texas.

to the public service, and to press forward the business of the courts in which he presides, as rapidly as is consistent with safety? There should be no cheese-paring in connection with the administration of justice. The courts should have enough divisions and enough judges to efficiently discharge the business coming before them, and until this at least, is assured, there can be no satisfactory reform. There is unquestionably an advantage in being able to retain leading counsel. How this can be obviated, it is difficult to see. It would not be practicable to have a state advocate in every court to oversee trials and equalize the benefit of counsel, so to speak. The advantage which the affluent enjoy as regards counsel, though, is much more than offset by the slight *penchant* of the bench and the all-devouring prejudices of the jury, against corporations, and the representatives of money influence generally.

"Quite apart from the popular cry for law reform, which is neither prompted by definite knowledge nor controlled by appreciation of the difficulties in the way, there is the earnest desire in the profession itself that anomalies should be removed, and that the administration of justice should at least keep pace with the enlightenment and progress of the times. I believe the weight of opinion in the profession is that any systematic revision of the substantive law with a view to its reformation is undesirable and practically impossible, but that there is a wide field for reform in procedure, in the direction of simplicity and despatch and to some extent, economy. That procedure should be simplified requires no argument. The fullest powers of summary amendment should be vested in the courts, provided that no suitor should thereby be taken by surprise. That it should be possible for any cause to be disposed of upon technical grounds, without its merits having been determined, is a serious reflection upon our whole legal system. Delays must be shortened and costs reduced as far as possible. Let the subject, however, be approached with some sense of responsibility."

"Another prolific source of delays," he says, "is the number of appellate courts and the facility with which appeals are taken. Some of the intermediate appeals might with advantage be done away with and the delay in the hearing materially shortened." J. W. G.

Defects in the Administration of Justice.—In a recent address before the Kansas State Bar Association, Burr W. Jones, Esq., of the Madison, Wis., bar, pointed out some of the causes of the widespread dissatisfaction with our existing methods of administering the criminal law. In the first place, punishment of crime is frequently too long delayed. Too much time is spent in the selection of juries. Panels could be greatly dispatched by the abolition of the examination of jurors on their *voir dire*. It should be no disqualification that a juror has read the newspapers and formed an opinion upon hearsay, but it should be sufficient to qualify him if he is competent to render an impartial verdict. The privilege of taking changes of venue is another source of delay, as is also the wide latitude of appeal usually allowed. Mr. Jones records that several years ago he attended a murder trial in the courtroom of the old Bailey in London, and was greatly impressed by the promptness with which the case was disposed of. There were no long arguments upon questions of evidence, and no impassioned appeals to the sympathies of the jury. The judge reviewed the facts of the law at the conclusion of the trial, which was terminated within six hours after it was called. "In America such a trial," he says,